

In the Drawings:

Please replace sheet 4 of the drawings with the replacement sheet 4 included herewith.

Sheet 4 comprises FIG. 2B.

REMARKS

The Examiner objected to the drawings.

The Examiner rejected claims 1-20 under 35 U.S.C. §102(e) as allegedly being anticipated by Mauricio Breternitz, Jr. et al. (U.S. Patent No. 6,381,739).

Applicants respectfully traverse the drawing objections and the §102 rejections with the following arguments.

Drawings

The Examiner objected to the drawings, allegedly “because the flow chart of Fig. 2B with "decision making" steps each with only one "next step". This would cause the program to fail. For example, Step 15 and 16 Fig. 2B, The program is going to fail if the "Ci" is not true for given call site or if current Condition does not imply Ci. ”

In response, Applicant have amended FIG. 2B such that such that steps 15 and 16 are properly depicted. The amended FIG. 2B does not contain new matter and is in conformity with the specification.

35 U.S.C. §102(e)

Claims 1-6

The Examiner rejected claims 1-20 under 35 U.S.C. §102(e) as allegedly being anticipated by Mauricio Breternitz, Jr. et al. (U.S. Patent No. 6,381,739).

Applicants respectfully contend that Breternitz does not anticipate claim 1, because Breternitz does not teach each and every feature of claim 1. For example, Breternitz does not teach the feature: “for the or each call statement, scanning the entries in said list to determine one for which there is correspondence between said branch conditions and call parameters directed to said control flow code by the call statement and modifying the call statement to replace the call to the original procedure by a call to the corresponding new procedure”.

The Examiner argues that Breternitz, col. 2, lines 40-51 and 56-60 teaches the preceding feature of claim 1. In response, Applicants respectfully contend that Breternitz, col. 2, lines 40-51 and 56-60 does not disclose a call statement and does not disclose call parameters, and therefore does not teach the preceding feature of claim 1.

Based on the preceding arguments, Applicants respectfully maintain that Breternitz does not anticipate claim 1, and that claim 1 is in condition for allowance. Since claims 2-6 depend from claim 1, Applicants contend that claims 2-6 are likewise in condition for allowance.

Claim 7

Applicants respectfully contend that Breternitz does not anticipate claim 7, because Breternitz does not teach each and every feature of claim 7. For example, Breternitz does not teach the feature: “for each said call statement, scanning the entries in said list to determine one for which there is correspondence between said branch condition and call parameters supplied by the call statement; and ... modifying the call statements to call said new procedures.”

The Examiner argues that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) teaches the preceding features of claim 7. In response, Applicants respectfully contend that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) does not disclose a call statement and does not disclose call

parameters, and therefore does not teach the preceding feature of claim 7.

Based on the preceding arguments, Applicants respectfully maintain that Breternitz does not anticipate claim 7, and that claim 7 is in condition for allowance.

Claims 8-13

Applicants respectfully contend that Breternitz does not anticipate claim 8, because Breternitz does not teach each and every feature of claim 8. For example, Breternitz does not teach the feature: “scanning means operable, for each said call statement, for scanning the entries in said list to determine one for which there is correspondence between said branch conditions and call parameters supplied by the call statement; and ... modifying means for modifying the call statement to call the corresponding new procedure.”

The Examiner argues that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) teaches the preceding features of claim 8. In response, Applicants respectfully contend that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) does not disclose a call statement and does not disclose call parameters, and therefore does not teach the preceding feature of claim 8.

Based on the preceding arguments, Applicants respectfully maintain that Breternitz does not anticipate claim 8, and that claim 8 is in condition for allowance. Since claims 9-13 depend from claim 8, Applicants contend that claims 9-13 are likewise in condition for allowance.

Claim 14

Applicants respectfully contend that Breternitz does not anticipate claim 14, because Breternitz does not teach each and every feature of claim 14. For example, Breternitz does not teach the feature: “means for scanning the entries in said list to determine for each call statement, an entry for which there is correspondence between said branch condition and call parameters supplied by the call statement; and ... means for modifying the call statements to call said new procedures.”

The Examiner argues that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) teaches the preceding features of claim 14. In response, Applicants

respectfully contend that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) does not disclose a call statement and does not disclose call parameters, and therefore does not teach the preceding feature of claim 14.

Based on the preceding arguments, Applicants respectfully maintain that Breternitz does not anticipate claim 14, and that claim 14 is in condition for allowance.

Claims 15-17

Applicants respectfully contend that Breternitz does not anticipate claim 15, because Breternitz does not teach each and every feature of claim 15. For example, Breternitz does not teach the feature: “a fourth computer code portion operable, for each said call statement, for scanning the entries in said list to determine one for which there is correspondence between said branch conditions and call parameters supplied by the call statement; and ... a fifth computer code portion for modifying the call statement to call the corresponding new procedure.”

The Examiner argues that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) teaches the preceding features of claim 15. In response, Applicants respectfully contend that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) does not disclose a call statement and does not disclose call parameters, and therefore does not teach the preceding feature of claim 15.

Based on the preceding arguments, Applicants respectfully maintain that Breternitz does not anticipate claim 15, and that claim 15 is in condition for allowance. Since claims 16-17 depend from claim 15, Applicants contend that claims 16-17 are likewise in condition for allowance.

Claims 18-20

Applicants respectfully contend that Breternitz does not anticipate claim 18, because Breternitz does not teach each and every feature of claim 18. For example, Breternitz does not teach the feature: “a fourth code portion operable, for each said call statement, for scanning the entries in said list to determine one for which there is correspondence between said branch condition and call parameters supplied by the call statement; and ... a fifth code portion for

modifying the call statements to call said new procedures.”

The Examiner argues that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) teaches the preceding features of claim 18. In response, Applicants respectfully contend that Breternitz, col. 2, lines 40-51 and 56-60 and col. 3, lines 34-37 (restructured computer file) does not disclose a call statement and does not disclose call parameters, and therefore does not teach the preceding feature of claim 18.

Based on the preceding arguments, Applicants respectfully maintain that Breternitz does not anticipate claim 18, and that claim 18 is in condition for allowance. Since claims 19-20 depend from claim 18, Applicants contend that claims 19-20 are likewise in condition for allowance.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0457.

Date: 10/22/2004

Jack P. Friedman
Jack P. Friedman
Registration No. 44,688

Schmeiser, Olsen & Watts
3 Lear Jet Lane, Suite 201
Latham, New York 12110
(518) 220-1850